

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AYAN A. DUDE et al.,

Plaintiff,

v.

ANTHONY BLINKEN et al.,

Defendant.

CASE NO. C23-0744-KKE

ORDER GRANTING STIPULATED
MOTION TO HOLD CASE IN ABEYANCE

Plaintiffs and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings for ninety days. Plaintiffs bring this case pursuant to the Administrative Procedure Act and Mandamus Act, inter alia, to compel the State Department to readjudicate Plaintiff Mahamud's immigrant visa application. Defendants' response to the Complaint is due on October 20, 2023.

Courts have "broad discretion" to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

The parties submit that there is good cause to hold this case in abeyance until January 18, 2024. The parties are diligently working towards a resolution of this case that will not require further litigation. Plaintiff has recently completed the medical exam needed for his immigrant visa application to be readjudicated. However, the results of a medical test will not be returned for up to twelve weeks. Once these results are received, the State Department anticipates that the Embassy will process Plaintiff’s immigrant visa application.

Accordingly, the parties hereby STIPULATE AND AGREE, AND JOINTLY REQUEST that the Court hold this case in abeyance and order the parties to file a joint status report on or before January 18, 2024. The parties further request that the Court’s Order Regarding FRCP 26(f) Conference, Initial Disclosures, and Joint Status Report (Dkt. Nos. 5 & 5A) be stricken.

Dated: October 20, 2023

Respectfully submitted,

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Acting United States Attorney

s/ Bart Klein
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Attorneys for Defendants

ORDER

The parties having so stipulated, the above is SO ORDERED. The parties shall file a joint status report on or before January 18, 2024. The Order regarding initial scheduling deadlines is stricken. Dkt. Nos. 5 & 5A.

Dated this 20th day of October, 2023.

A handwritten signature in black ink, reading "Kymberly K. Evanson". The signature is written in a cursive, flowing style. Below the signature is a solid black horizontal line.

Kymberly K. Evanson
United States District Judge